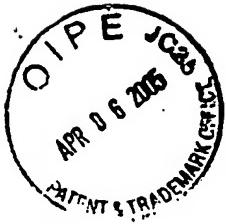


DIVISION
Dep B Def
Room # 807
2005 APR -8 AM 11:12



8TH FLOOR
1100 NORTH GLEBE ROAD
ARLINGTON, VIRGINIA 22201-4714

Nixon & Vanderhye P.C.

ATTORNEYS AT LAW

April 6, 2005

TELEPHONE: (703) 816-4000
FACSIMILE: (703) 816-4100
WRITER'S DIRECT DIAL NUMBER:
(703) 816-
EMAIL: RAM@NIXONVAN.COM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Subject: **REQUEST FOR REFUND TO DEPOSIT ACCOUNT**
Deposit Account No. 14-1140
Statement Date: January 2005
Date Posted: January 18, 2005
Fee Code: 1202; \$1,408.00
Our Ref.: 2558-71

To whom it may concern:

Regarding the Monthly Statement of Deposit Account dated January 18, 2005, (copy attached), we believe there is a fee related error therein, which has resulted in a charge to our Deposit Account that appears to be unwarranted. Please refer to the following explanation and issue a refund as soon as possible.

The application was filed before the fee increase that took effect on December 8, 2004. Enclosed for your convenience is a copy of the post card submitted with the application filing, evidencing February 25, 2004 as this application's filing date. Accordingly, the fee for extra claims should have been \$18.00 x 44 extra claims for a total of \$792.00 instead of \$50.00 x 44 extra claims for a total of 2,200.00. The difference between the \$2,200.00 amount and the \$792.00 amount paid via credit card is \$1,408.00 (the extra amount charged to our deposit account). Please refund the \$1,408.00 charged to Deposit Account No. 14-1140, since the application was filed before December 8, 2004. A copy of the credit card form for the \$1,408.00 credit card payment is enclosed, for your convenience.

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Goble, Nigel M.
Serial No. 10/785,398
April 6, 2005
Page 2

Thank you for your attention to, and your assistance with this matter. If you have any questions, please do not hesitate to call me at the above number.

Very truly yours,

NIXON & VANDERHYE P.C.

By: Robert A. Molan
Robert A. Molan
Registration No. 29,834

RAM:drt
cc: N&V Accounting Department

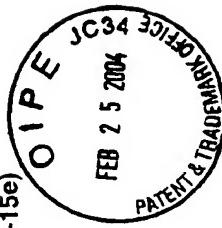
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#942339 v1 - req. for corr. to deposit acco



New Patent Application C#/M#: 2558-71
Serial No.: Not Assigned Date: February 25, 2004
Inventor/s: GOBLE, Nigel M. Atty: RAM
Title: AN ELECTROSURGICAL SYSTEM
AND METHOD

Pages Specification
claims
Abstract (1 page)
1 Form PTO-1449 from parent appns.
1 Sheets of Drawings (Figs: 1-15e)
15 Fees
-0-



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01/11 50	PCT/US03/36336	4389-6 PTB	1604	\$210.00	\$45,157.98
01/12 4	10103119	4091-18 APL	1253	-\$950.00	\$46,107.98
01/12 23	10088341	117-385 GRT	1201	\$88.00	\$46,019.98
01/12 497	10489961	4145-10 BJS	1453	\$480.00	\$45,539.98
01/13 4	10499336	2818-203 ARC	1614	\$258.00	\$45,281.98
01/13 5	10499336	2818-203 ARC	1615	-\$54.00	\$45,335.98
01/13 455	76132498	4379-3 WG	8521	\$40.00	\$45,295.98
01/18 31	10785398	2558-71 RAM	1202	\$1,408.00	\$43,887.98
01/18 51	60637892	620-356 BJS	1085	\$500.00	\$43,387.98
01/18 392	78139623	3977-8 DJB	8521	\$40.00	\$43,347.98
01/18 846	76132498	4379-3 WG	8521	\$40.00	\$43,307.98
01/18 847	1650461		8522	\$25.00	\$43,282.98
01/18 848	2027788	4379-3 WG	8522	\$25.00	\$43,257.98
01/18 849	2713360		8522	\$25.00	\$43,232.98
01/18 850	2717403		8522	\$25.00	\$43,207.98
01/18 851	2513277		8522	\$25.00	\$43,182.98
01/18 852	2646320		8522	\$25.00	\$43,157.98
01/19 1	10648351	839-1442 MJK	1201	\$400.00	\$42,757.98
01/19 216	10974962	3870-56 BHD	1202	\$2,034.00	\$40,723.98
01/19 218	10974962		1203	\$360.00	\$40,363.98
01/19 219	10974962		1051	\$130.00	\$40,233.98
01/19 226	76132498	4379-WG	8521	\$40.00	\$40,193.98
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01/19 228	2027788	4379-WG	8522	\$25.00	\$40,143.98
01/19 229	2713360		8522	\$25.00	\$40,118.98
01/19 230	2717403		8522	\$25.00	\$40,093.98
01/19 231	2513277		8522	\$25.00	\$40,068.98
01/19 232	2646320		8522	\$25.00	\$40,043.98
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01/19 965	1650461		8522	\$25.00	\$39,978.98
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01/21 1	10502583	117-518 GRT	1615	\$342.00	\$39,511.98
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01/21 2	10502583	117-518 GRT	1616	\$290.00	\$41,841.98
01/21 2	09437450	1579-315 MJW	2253	\$510.00	\$41,331.98
01/21 3	90007369	925-205 R&CC	1812	\$2,520.00	\$38,811.98
01/21 6	10497316	620-311 MJW	9204	-\$90.00	\$38,901.98
01/21 7	11009702	160-422 APL	1081	\$250.00	\$38,651.98
01/24 20	09763899	461-28	1202	\$50.00	\$38,601.98
01/24 21	09763899	461-28 HPL	1201	\$200.00	\$38,401.98
01/24 22	09763899	461-28	1252	\$450.00	\$37,951.98
01/24 53	09601881	36-1352 LSN	1501	\$1,400.00	\$36,551.98
01/24 54	09601881	36-1352 LSN	8001	\$30.00	\$36,521.98
01/24 64	10694389	4657-3 LSN	2202	\$6.00	\$36,515.98

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
GOBLE; Nigel M.
 Serial No. 10/785,398
 Filed: February 25, 2004
 For: AN ELECTROSURGICAL SYSTEM AND METHOD

Attention: Application Branch
 Atty. Dkt. 2558-71

Date: December 30, 2004

Mail Stop Missing Parts

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

The attached completes filing of the above-identified patent application:

- Correspondence Address Indication Form Attached.
 Signed Rule 63 Declaration alone, Copy of Declaration from prior application alone, OR
 Signed Declaration plus attached copy of originally filed specification/drawings.
 NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED form.
 Record the attached assignment to Gyrus Medical Limited, Cardiff, United Kingdom
 Attached is a Power of Attorney.

Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
9900964.9	U.K.	15 January 1999

respectively.

- Certified copy(ies) of foreign application(s) is/are attached.
 Certified copy(ies) filed on May 30, 2000 in prior application no. 09/484,225, filed January 18, 2000.
 Applicant claims "small entity" status. "Small entity" statement attached.
 Please enter the attached preliminary amendment prior to calculation of filing fee.
 Also attached: Information Disclosure Statement; Nucleotide and/or Amino Acid Sequence Submission; Other:

Fees due are calculated below:

Basic filing fee	\$	790.00
Search Fee (\$500.00)	\$	
Examination Fee (\$200.00)	\$	
Application Size Fee (\$250.00 for each add'l 50 sheets that exceeds 100 sheets)	\$	
Total sheets: -100 = 0		
Total Effective claims 64 - 20 = 44 x \$ 18.00	\$	792.00
Independent claims 3 - 3 = 0 x \$ 88.00	\$	0.00
If any proper multiple dependent claims now added for first time, add \$360.00 (ignore improper)	\$	
FILING FEE	\$	1,582.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$120.00 1 month; \$450.00/2 months; \$1020.00/3 months; \$1590.00/4 months)	\$	120.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted	\$	130.00
English translation of specification and claims (\$130.00)	\$	
FIRST SUBTOTAL	\$	
If "small entity," enter half (½) of subtotal and subtract	\$	65.00 - \$ 0.00
SECOND SUBTOTAL	\$	1,832.00
Assignment Recording Fee (\$40.00)	\$	40.00
TOTAL FEE DUE	\$	1,872.00

 CREDIT CARD PAYMENT FORM ATTACHED.

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
 Arlington, Virginia 22201-4714
 Telephone: (703) 816-4000
 Facsimile: (703) 816-4100
 RAM:drt

NIXON & VANDERHYE P.C.
 By Atty: Robert A. Molan, Reg. No. 29,834

Signature:

01/03/2005 JBALINAH 00000143 10785398

#912393 v1 - resp to not to file msg parts

120.00